

REMARKS

Applicant's counsel thanks the Examiner for the courtesy extended during the interview on June 12, 2006.

Applicant has cancelled method claims 17-20, for resubmission in a future divisional application, thereby rendering moot further debate on the appropriateness of examining these claims in the present application, and simultaneously removing this obstacle to allowance of this application.

Applicant respectfully traverses the 35 U.S.C. § 102(b) rejection of claims 1, 2, and 10 over Carlson '741. In the present invention, as set forth, e.g., in amended claims 1 and 16, stakes have hollow stake sleeves, each with an internal diameter. Posts, which are separate from the stakes, have a first diameter smaller than the internal diameters of the stake sleeves. Because of these different diameters, the posts are slidably and interchangeably insertable into the stake sleeves, and are frictionally and removably retained by the stake sleeves. Fencing components include post attachment collars with an annular opening. The annular openings have a second diameter larger than the first diameter of the posts so the fencing components can be slidably, pivotally, interchangeably, and removably attached to the post. All of these features of the invention are set forth in the amended claim.

Carlson '791, in contrast, discloses in fig. 2 a stake 5 with an inner diameter (unnumbered) greater than that of a post 1. Carlson, however, does not disclose that the post is separate and removable from stake 5, so different posts cannot be removed from one stake and interchangeably inserted into another stake. The post 1 of Carlson appears to be fixed permanently within stake 5. Furthermore, fence portions 8 in Carlson attach to the posts 1 with split-collar terminals 11, with flanges 12 secured by

bolts 13. The flanges 12 and bolts 13 lock the terminals 11 in place on posts 1, so the fence components 8 are not pivotally and removably attached to the posts. There also is no disclosure in Carlson that the fence components are interchangeable. Lacking at least these features recited in amended claim 1, Carlson does not anticipate claims 1, 2, and 10 under § 102(b).

Applicant also respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 11-15 over Carlson in view of Gibbs '145. The Examiner cited Gibbs for teaching components manufactured from tubular steel and having a powder-coated finish. Gibbs, however, does not disclose the structural features missing from Carlson, as noted above, so this combination of references does not render obvious claims 11-15.

Applicant further respectfully traverses the § 103(a) rejection of claims 1-10 and 16 over Ravert '215 in view of Carlson, and the § 103(a) rejection of claims 11-15 over Ravert, Carlson, and Gibbs. Ravert lacks at least a disclosure of stakes configured to be driven into the ground, with an internal diameter larger than the diameter of insertable posts, so that the posts slidably insert therein and are frictionally and removably retained therein. There also is no disclosure in Ravert that removable posts are interchangeable. Furthermore, while no suggestion exists to combine Ravert and Carlson, even if these references are combined, that still does not result in the different diameters of stake sleeves and posts or removable interchangeable attachment therebetween, as recited in the current claims. Furthermore, combining Carlson with Ravert would result in fencing components locked in place on the posts as taught by Carlson, further differing from the invention set forth in the claims. As noted above, Gibbs does not contribute the claim features missing from Ravert and Carlson.

Applicant also respectfully traverses the § 103(a) rejection of claims 1-4, 7-10 and 16 over Friend '688 in view of Carlson, and the § 103(a) rejection of claims 11-15 over Friend, Carlson, and Gibbs. Friend, like Carlson, lacks a teaching of separate posts and stakes, the stakes having hollow stake sleeves, with different diameters between the posts and stake sleeves, permitting the removable attachment and interchangeability of these components. Friend, like Carlson, also lacks the removable pivotal, interchangeable connections between the posts and the fence components, so combining these references fails to suggest all of the features of the present invention. Once again, Gibbs fails to provide the teachings missing from Friend and Carlson.

For all of the above reasons, Applicant asserts that pending claims 1-16 are patentable over all of the cited references, viewed alone or in combination.

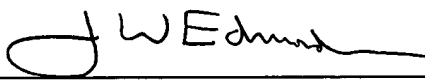
In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration of this application, withdrawal of all of the rejections, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 14, 2006

By: 
James W. Edmondson
Reg. No. 33,871